IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 8774 of 2004(T)

PETITIONER:

USHA SIVAPRASAD, W/O.LATE SIVAPRASAD,
RESIDING AT AMBALATHARA HOUSE, MULANKUZHY.P.O.,
MALAYATTOOR.

BY ADV. SRI.K.P.VIJAYAN
SMT.P.F.ROSY
SMT.C.B.SUMA DEVI
SRI.SURESH SAMUEL
SRI.V.M.SYAM KUMAR
SMT.KRIPA ELIZABETH MATHEWS

RESPONDENTS:

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1. THE ASSISTANT SALES TAX OFFICER,
IIND CIRCLE, ERNAKULAM.

2. THE DEPUTY TAHSILDAR (REVENUE RECOVERY)
ALUVA.

3. THE APPELLATE ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM.

4. STATE OF KERAL, REPRESENTED BY ITS
APPELLATE ASSISTANT COMMISSIONER, COMMERCIAL
TAXES, ERNAKULAM.

BY ADV. SHRI.K.P.PRADEEP, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 8774/2004

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE REVENUE RECOVERY NOTICE BEARING NO.R1-467/2004 DATED 16/02/2004 ISSUED BY THE 2ND RESPONDENT.

P2 : COPY OF THE ASSESSMENT ORDER FOR THE PERIOD 1999-2000 DATED 30/10/2003 ISSUED by the 1ST RESPONDENT.

P3 : COPY OF APPEAL DATED 15/03/2004 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

P4 : COPY OF STAY PETITION DATED 15/03/2004 FILED BY THE PETTIONER BEFORE THE 3RD RESPONDENT.

P5 : COPY OF EARLY POSTING PETITIOND ATED 15/03/2004 FILED by the PETITIONER BEFORE 3RD RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 8774 of 2004

Dated, this the 1st day of December, 2007

J U D G M E N T

This writ petition against revenue recovery proceedings for recovery of sales tax arrears was filed, when appeal against sales tax assessment was pending. Now it is reported that appeal is disposed of. In the circumstances, this writ petition is closed leaving freedom to the petitioner to pursue statutory remedy against order in appeal and against recovery.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg